

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF NORTH CAROLINA  
SOUTHERN DIVISION  
NO. 7:12-CR-134-F

UNITED STATES OF AMERICA       )  
  )  
                  v.                        )  
  )  
LEE GUY                                    )

**FINAL ORDER OF FORFEITURE REGARDING  
ALL REAL AND PERSONAL PROPERTY**

WHEREAS, on July 18, 2013, this Court entered a Preliminary Order of Forfeiture pursuant to the provision of 21 U.S.C. § 853, based upon the defendant pleading guilty to 21 U.S.C. § 841, and agreeing to the forfeiture of the property listed in the July 18, 2013 Preliminary Order of Forfeiture, to wit:

**Real Property:**

- a. The property having the street address of 5141 Regan Church Rd, Lumberton, NC 28358, as more particularly described in a deed found at Deed Book 1628, Page 461, of the Robeson County Registry
- b. The property having the street address of 115 E Walnut Street, Bladenboro, NC 28320, as more particularly described in a deed found at Deed Book 608, Page 752, of the Bladen County Registry
- c. The property having the street address of 274 Lawrence Brown Road, Bladenboro, NC 28320, as more particularly described in a deed found at Deed Book 631, Page 197, of the Bladen County Registry
- d. Real property located off NC Hwy 53 and Lewis Mcowen Dr., Bladen County, NC, as more particularly described in a

deed found at Deed Book 621, Page 379, of the Bladen Registry

- e. The property having the street address of 81 Buck Lane, White Oak, NC 28399, as more particularly described in a deed found at Deed Book 621, Page 871, of the Bladen County Registry
- f. The property having the street address of 416 1st Ave S, North Myrtle Beach, SC 29582, as more particularly described in a deed found at Deed Book 691, Page 261, of the Horry County Registry

**Personal Property**

(a) \$2,110.00 in United States Currency, (b) one 2006 Chevrolet Silverado 2550, VIN: IGCHK23D06F159596, (c) one 2009 Lexus IS250, VIN: JTHBK262295086997, (d) one 2012 Dodge Ram 2500, VIN: 3C6UD5FL4CG174293, (e) one 2002 Jeep Wrangler, VIN: 1J4FA39S42P744010, (f) one 2007 Iron Horse Motorcycle, VIN: 5L5BA177071000006, (g) one Yamaha Rhino ATV, VIN: 5Y4AM18Y69A006005, (h) one 2006 Frontier Cargo Trailer, VIN: 5SWBC162461000310, (i) one Gas Grill, (j) one gas Generator, (k) one Thompson Centerfire Encore Rifle, SN: 594241 and various ammunition, (l) one Diamondback Semi-Automatic 9mm pistol, SN: YA4354 (m) one 9mm Diamondback Magazine and various ammunition, (n) one .45 caliber pistol, SN: RHN21124A;

AND WHEREAS, the United States published notice of this forfeiture at the [www.forfeiture.gov](http://www.forfeiture.gov) web site for at least 30 consecutive days, between August 15, 2013 and September 13, 2013, as required by Rule G(4)(a)(iv)(C) of the Supplemental Rules for Admiralty of Maritime Claims and Asset Forfeiture Actions. Said published notice advised all third parties of their right to the court within sixty (60) days from the first day of the

date for a hearing to adjudicate the validity of their alleged interest in the forfeited property;

AND WHEREAS, it appears from the record that no claims, contested or otherwise, have been filed for the subject personal property described in this Court's July 18, 2013 Preliminary Order of Forfeiture, other than those specifically mentioned herein;

AND WHEREAS, the subject personal property was served while in the custody of the U. S. Department of Homeland Security on October 11, 2013;

AND WHEREAS, service of the Court's July 18, 2013 Preliminary Order of Forfeiture was made upon Branch Banking and Trust Company (BB&T) on approximately October 17, 2013, via certified mail return receipt;

AND WHEREAS, service of the Court's July 18, 2013 Preliminary Order of Forfeiture was made upon GMAC on approximately October 21, 2013, via certified mail return receipt;

AND WHEREAS, service of the Court's July 18, 2013 Preliminary Order of Forfeiture was made upon Claudette Guy on October 15, 2013, via certified mail return receipt;

AND WHEREAS, the subject real properties, with the exception of the real property located at 416 1<sup>st</sup> Ave S, North Beach, SC 29582, were served by posting of a certified copy of

Court's July 18, 2013 Preliminary Order of Forfeiture on the real properties by an agent of the U. S. Department of Homeland Security on January 14, 2014;

AND WHEREAS, service of the Court's July 18, 2013 Preliminary Order of Forfeiture was made upon Lumbee Guaranty Bank, Attn: Legal Department, on October 17, 2013, via certified mail return receipt;

AND WHEREAS, service of the Court's July 18, 2013 Preliminary Order of Forfeiture was made upon the Bladen County Tax Administrator on October 16, 2013, via certified mail return receipt;

AND WHEREAS, service of the Court's July 18, 2013 Preliminary Order of Forfeiture was made upon the Robeson County Tax Administrator on approximately October 17, 2013, via certified mail return receipt;

AND WHEREAS, service of the Court's July 18, 2013 Preliminary Order of Forfeiture was made upon the Horry County Tax Administrator on October 15, 2013, via certified mail return receipt;

AND WHEREAS, a petition by Lumbee Guaranty Bank ("LGB") was filed with this Court on December 2, 2013, by and through its counsel, Joseph J. Vonnegut, as to the subject real properties described as follows:

- 5141 Regan Church Road, Lumberton, NC 28358,

- 115 East Walnut Street, Bladenboro, NC 28320, and
- 81 Buck Lane, White Oak, NC 28339. Also known as Items a, b and e of the real properties described in the Court's July 18, 2013 Preliminary Order of Forfeiture;

AND WHEREAS, the United States advised the Court that it recognizes Lumbee Guaranty Bank's interest in the subject real properties described in the above paragraph and is releasing these particular real properties from this criminal forfeiture action;

AND WHEREAS, the United States advised the Court that it is releasing from this criminal forfeiture action the subject real property listed as Item f of the real properties described in the Court's July 18, 2013 Preliminary Order of Forfeiture, also known as 416 1<sup>st</sup> Avenue S, North Myrtle Beach, SC;

It is HEREBY ORDERED, ADJUDGED and DECREED:

1. That the subject remaining real property and personal property listed in the July 18, 2013 Preliminary Order of Forfeiture are hereby forfeited to the United States. That the U. S. Department of Homeland Security is directed to dispose of the remaining real property and personal property according to law, including destruction, to wit:

### **Real Property**

- The property having the street address of 274 Lawrence Brown Road, Bladenboro, NC 28320, as more particularly described in a deed found at Deed Book 631, Page 197 of the Bladen County Registry.
- Real property located off NC Hwy 53 and Lewis Mcowen Dr., Bladen County, NC, as more particularly described in a deed found at Deed Book 621, Page 379 of the Bladen County Registry; and

### **Personal Property**

(a) \$2,110.00 in United States Currency, (b) one 2006 Chevrolet Silverado 2550, VIN: IGCHK23D06F159596, (c) one 2009 Lexus IS250, VIN: JTHBK262295086997, (d) one 2012 Dodge Ram 2500, VIN: 3C6UD5FL4CG174293, (e) one 2002 Jeep Wrangler, VIN: 1J4FA39S42P744010, (f) one 2007 Iron Horse Motorcycle, VIN: 5L5BA177071000006, (g) one Yamaha Rhino ATV, VIN: 5Y4AM18Y69A006005, (h) one 2006 Frontier Cargo Trailer, VIN: 5SWBC162461000310, (i) one Gas Grill, (j) one gas Generator, (k) one Thompson Centerfire Encore Rifle, SN: 594241 and various ammunition, (l) one Diamondback Semi-Automatic 9mm pistol, SN: YA4354 (m) one 9mm Diamondback Magazine and various ammunition, (n) one .45 caliber pistol, SN: RHN21124A.

2. That any and all forfeited funds shall be deposited by the U. S. Department of Homeland Security as soon as located or recovered into the Department of Treasury's Assets Forfeiture Fund in accordance with 28 U.S.C. § 524(c) and 21 U.S.C. § 881(e).

The Clerk is hereby directed to send copies of this  
to all counsel of record.

SO ORDERED this 4<sup>th</sup> of day March, 2014.

James C. Fox  
JAMES C. FOX  
SENIOR UNITED STATES DISTRICT JUDGE